APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,227	02/28/2002	Hiromichi Ito	501.36148CX2	6332

20457	7590	03/29/2004

ANTONELLI, TERRY, STOUT & KRAUS, LLP
1300 NORTH SEVENTEENTH STREET
SUITE 1800
ARLINGTON, VA 22209-9889

EXAMINER
CALLAHAN, PAUL E

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/084,227	ITO ET AL.
	Examiner	Art Unit
	Paul E. Callahan	2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 February 2002_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _28 February 2002_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☒ Certified copies of the priority documents have been received in Application No. _09/110,144_.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _2, 4_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Claims 2-20 are pending in this application and have been examined. Claim 1 was

cancelled via preliminary amendment.

Priority

2.   Applicant is reminded that in order for a patent issuing on the instant application to

obtain the benefit of priority based on priority papers filed in parent Application No. 09/110,144,

now US Patent 6,430,292, under 35 U.S.C. 119(a)-(d) or (f), a claim for such foreign priority

must be made in this application. In making such claim, applicant may simply identify the

application containing the priority papers.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

4.   Claims 11-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. Claim 11 contains the preamble: "A recording medium for storing a program that

causes an information processing apparatus, said program comprising:" The preamble is

incomplete and does not state what the program causes the processor to do. Claim 12 is

dependent on claim 11 and is rejected on that basis as well.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in
a printed publication in this or a foreign country, before the invention thereof by the
applicant for a patent.

4.   Claims 2-20 rejected under 35 U.S.C. 102(a) as being clearly anticipated by Schultz (US

6,157,723).

As for claims 2, 11, 13, 14, 16, and 18 Schultz teaches a recording medium for storing a

program that causes an information processing apparatus to manage publicity of a decryption key

used for decrypting information when executed (abstract), said program comprising: codes that

manage expiration time of secrecy of said decryption key (col. 1 lines 57-61, col. 3 lines 1-5);

and codes that disclose said decryption key with expired secrecy out of a key storage, said key

storage storing said at least one decryption key for decrypting information (col. 1 lines 55-66).

As for claims 3 and 19, Schultz teaches a recording medium for storing a program

according to claim 2, wherein said codes that disclose said decryption key disclose a decryption

key resulting from searching a key managing table, said key managing table indicating a relation

between said decryption key stored in said key storage and expiration time of secrecy of said

decryption key (col. 1 lines 64-66, col. 3 lines 13-25, col. 3 lines 20-25).

As for claim 4, Schultz teaches a recording medium for storing a program according to claim 3, wherein said search is performed based (upon) provided time information (col. 1 lines 57-61, col. 3 lines 1-5).

As for claim 5 Schultz teaches a recording medium for storing a program that causes an information processing apparatus to provide an encryption key used for encrypting information when executed (abstract), said program comprising: codes that manage an encryption key for encrypting information and expiration time of secrecy correspondent to said encryption key (col. 1 lines 55-66, col. 3 lines 1-5); code that receive a request of an encryption key with designated expiration time of secrecy; and codes that output an encryption key correspondent to said requested expiration time of secrecy out of a key storage storing said at least one encryption key for encrypting information (col. 1 lines 55-66, col. 3 lines 1-5, col. 4 lines 25-30).

As for claim 6, Schultz teaches a recording medium for storing a program according to claim 5, said program Further comprising: codes that searches a key managing table stored in a key managing table storage for an encryption key that corresponds to said requested time for encrypting information (col. 3 lines 13-25, col. 3 lines 1-5), said key managing table indicating a relation between said encryption keys stored in a key storage and expiration times of secrecy of said decryption keys; and codes that output an encryption key resulting from said search (col. 3 lines 1-5).

As for claim 7, Schultz teaches a recording medium for storing a program according to claim 5, said program further comprising: codes that generate, if said key managing table does not store a key correspondent to said requested time, an encryption key meeting a requested condition; codes that add said generated encryption key into said key managing table (col.3 lines 1-25, col. 1 lines 66-67).

As for claim 8, Schultz teaches a recording medium for storing program that causes an information processing apparatus to output a decryption key for encrypted data, said program comprising: codes that acquire current time; codes that output said decryption key with expired secrecy referring to said current time (col. 1 lines 55-66, col. 3 lines 1-5)

As for claim 9, Schultz teaches a recording medium for storing a program according to claim 8, said program further comprising: codes that compare disclosing time of a decryption key in a key managing table in a key storage and said current time, said key managing table storing at least one set of said decryption key and disclosing time indicating when secrecy of said decryption key expires; and codes that acquire said decryption key with secrecy expired, if the current time is on or after said disclosing time as the result of said comparing said current time with said disclosing time (col. 1 lines 55-66, col. 3 lines 1-5).

As for claim 10, Schultz teaches a recording medium for storing program according to claim 9, said program further comprising: codes that extract said time information from encrypted data (col. 4 lines 25-30).

As for claim 12, Schultz teaches a recording medium for storing program according to claim 11, wherein said time information includes start time, end time and time interval; said program further comprising: codes that make new expiration time by adding time interval to current expiration time of listed keys; codes that repeat said codes that generates said set of keys and said codes that make said new expiration time (col. 3 line 47 through col. 4 line 30).

As for claims 15 and 20, Schultz teaches a recording medium for storing program according to claim 14, said program further comprising: codes that encrypt/decrypt said data to be encrypted/decrypted by using said received encryption/decryption key (col. 4 lines 25-30).

As for claim 17, Schultz teaches a recording medium for storing program according to claim 16, said program further comprising: codes that pack said encrypted data and said time information into a file (col. 1 lines 64-66, col. 3 lines 13-25).

19. A recording medium for storing program according to claim 18, wherein said codes that judge comprises: codes that acquire time information out of a file including said encrypted data, said time information indicating when secrecy of said encrypted data expires; and codes that compare current time with said time information.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul E. Callahan whose telephone number is (703) 305-1336.

The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Greg Morse, can be reached on (703) 308-4789. The fax phone number for the

organization where this application or proceeding is assigned is: (703) 872-9306. Any inquiry of

a general nature or relating to the status of this application or proceeding should be directed to

the receptionist whose telephone number is (703) 305-3900.

3/19/2004

Paul Callahan

GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100